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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,228	10/09/2001	John Walter May	81,461/LPK	5255

7590 07/29/2004

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EXAMINER

MAYEKAR, KISHOR

ART UNIT	PAPER NUMBER
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1753

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/973,228	Applicant(s) MAY ET AL.	
	Examiner Kishor Mayekar	Art Unit 1753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: 1) the blank spaces left on pages 1-3,23,24,48 and 53 and 2) the typo error in the phrase "Fig. 2d" in line 4 of the third paragraph in page 16 and the phrase "electocoagulate" in line 4 of page 17. Appropriate correction is required.

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

3. Claims 1, 2, 45, 49, 53 and 55-57 are objected to because of the following informalities:

In claim 1, in the paragraph "in said excess liquid removal process zone ... a liquid-depleted image;" the extra phrase "so as" needs to be deleted and the

phrase --and-- needs to be inserted after the paragraph (emphasis added);

In claim 2, the phrase "Regeneration Process Zone" needs to be changed to -regeneration process zone—and the term --with-- needs to be inserted after the phrase "is provided";

In claim 45, the phrase "ceramers" should it be changed to -ceramics--?

In claim 49, in the paragraph "a liquid removing mechanism ... a liquid-depleted image;" the extra phrase "so as" needs to be deleted and the phrase --and-- needs to be inserted after the paragraph "a regeneration mechanism ... said ink jet device;"

In claim 53, in the paragraph "a concentrating mechanism ... said operational surface" and in the paragraph "in said each respective module ... a liquid-depleted image;" the extra phrase "so as" needs to be deleted and the phrase --and-- needs to be inserted after the paragraph "a regeneration mechanism ... said ink jet device;"

In claim 55, in the preamble and in the paragraph "causing ... a liquid-depleted image" the phrase "so as" needs to be deleted;

In claim 56, in the preamble, in the paragraph "causing ... a liquid-depleted image" and in the paragraph "after a last ... image thereon" the phrase "so as"

needs to be deleted; and

In claim 57, in the paragraph "removing ... material image" the phrase "so as" needs to be deleted and the phrase --and-- needs to be inserted after the paragraph.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 45 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 45 claims that the thin outer layer is made from a group of materials including sol-gels, ceramers

and polyurethanes. However, the specification fails to describe what material is the so-called sol-gel and ceramer.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-57 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the phrase "providing imagewise jetting" needs to be replaced with --adapted for providing-- to eliminate reference to a method of operating the device. The phrase "jetting on to said operational surface of droplets" is confusing. The phrase "said intermediate member" lacks antecedent basis.

In claim 17, the phrase "said intermediate member" lacks antecedent basis.

In claim 18, the phrase "said intermediate member" lacks antecedent basis.

In claim 24, the phrase "said electric field mechanism" lacks antecedent basis.

In claim 48, the phrase "said regenerating mechanism" lacks antecedent basis and the phrase "an operational surface" is confusing as whether the surface is the same surface recited in claim 1 or another.

In claim 49, the phrase "a transport which moves" needs to be replaced with --a transport for moving-- to eliminate reference to method of operating the device.

Allowable Subject Matter

8. Claims 1-57 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, first and second paragraph, set forth in this Office action.

9. The following is a statement of reasons for the indication of allowable subject matter: Because the prior art reference do not disclose 1) in an imaging apparatus the provision of the recited liquid removal mechanism, the recited ink jet device including a first source of a first ink and a second source of a second ink in combination with other recited structures as claimed in claims 1-48; 2) in a

digital imaging machine the provision of the recited liquid removal mechanism, the recited ink jet device for imagewise jetting droplets of two different inks in combination with other recited structures as claimed in claims 49-54; and 3) in a method of making image the recited steps of forming an image by depositing from an ink jet device of droplets of two different inks and the recited step of causing (claims 55 and 56) or removing (claim 57) to form a liquid-depleted image in combination with other steps as claimed in claims 55-57.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kishor Mayekar whose telephone number is (571) 272-1339. The examiner can normally be reached on Monday-Thursday.

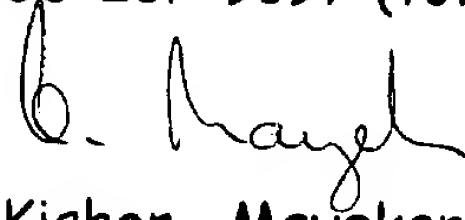
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Kishor Mayekar
Primary Examiner
Art Unit 1753